IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 439 OF 2005

Shivram Waman Kunjir.... ....Appellant.
V/s
Gopinath Kushaba Kunjir..... ... .Respondent.

Office Notes, Office Memoranda of Coram, appearances Court's orders or directions and Registrar' orders.	Court's or Judge's Orders

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Mr.Kishore R. Jagdale, Adv. for the appellant.

CORAM: A.P. DESHPANDE, J.
10.7.2007

PC:

This second appeal is filed by original plaintiff whose suit for specific performance of agreement of sale has been dismissed by the trial Court and the First Appellate Court concurring with the view taken by trial Court has dismissed the Regular First Appeal.

2. The Courts below have held that the plaintiff has failed to establish that there was any agreement of sale in regard to the suit property which

admeasures 2 acres and 59 ars. The trial Court has also recorded a finding that no consideration was paid by the plaintiff. It is also found that the suit property was joint immovable property and the defendant alone could not have entered into in agreement of sale in regard to whole of the suit property. Perused the impugned judgments. No substantial question of law emerges for adjudication. Hence Second Appeal is summarily dismissed. Civil Application No. 760 of 2005 stands disposed of accordingly.

10.7.07.